



**U.S. Department  
of Transportation  
Federal Aviation  
Administration**

**Transport Airplane Directorate  
Aircraft Certification Service**

1601 Lind Avenue, S.W.  
Renton, Washington 98055-4056

October 26, 2005

In Reply Refer to: ANM-115-06-002

William J. Ertle, II  
Manager – Aircraft Certification Programs  
PATs Aircraft, LLC  
21652 Nanticoke Avenue  
Georgetown, DE 19947

Dear Mr. Ertle:

This is in response to your letter dated September 7, 2005, which requested a review and clarification of the regulatory relief that Exemption Nos. 6820, 6820A and 7609 provide for Boeing Model 737-700 and 737-800 airplanes. Your letter is in docket number FAA-2005-22804.

Those exemptions provide relief from the direct view requirements of 14 CFR part 25.785(h)(2). That regulation states:

Each seat located in the passenger compartment and designated for use during takeoff and landing by a flight attendant required by the operating rules of this chapter must be: to the extent possible, without compromising proximity to a required floor level emergency exit, located to provide a direct view of the cabin area for which the flight attendant is responsible.

The relieving language in the exemptions states:

In considering the need for direct view, the FAA agrees that the restricted nature of the operation of a private use airplane mitigates much of the need. That is, the operator has control of and can restrict the population of passengers, unlike an air carrier. The risk of passengers engaging in hazardous or malicious activity is essentially eliminated, and the need for direct view is limited to those cases where a passenger might need assistance. We consider that this objective is met by requiring that a majority of flight attendants seats face the cabin.

You have requested that the calculation for the majority of flight attendant seats exclude the flight attendant seats that exceed the number required by the operating rules. Your position is that the interior configuration of your airplane meets the conditions of those exemptions. Two of the six flight attendant seats face the cabin and, per the operating rules, only two flight attendants are required based upon the number of passengers. The two flight attendant seats facing the

cabin are near the forward exits. The four flight attendant seats near the rear exits do not face the cabin.

You indicated that the two forward flight attendant seats constitute a majority of the flight attendant seats required for this airplane configuration. You also claim the restricted operation of this private use airplane, and the unique interior, negates the requirement for the aft flight attendant seats from facing or having direct view of the cabin.

We have reviewed Exemption Nos. 6820, 6820A and 7609 and find that, in this case, your interpretation of the condition to have the majority of flight attendant seats face the cabin is reasonable. We agree that the calculation for the majority of flight attendant seats may exclude the four flight attendant seats in the aft section of the airplane.

In view of the above, we have determined that PATS Aircraft, LLC meets the condition that a majority of flight attendant seats face the cabin. A new exemption is not necessary. Please note that this finding applies only to the specific configuration noted in your letter, and does not constitute type design approval. It is the responsibility of PATS Aircraft, LLC to obtain type design approval for the modification.

If you have any questions concerning this matter, please contact Mr. John Shelden on my staff at (425) 227-2785.

Sincerely,

/S/

Frank Tiangsing  
Manager, Airframe and Cabin Safety Branch  
Transport Airplane Directorate  
Aircraft Certification Service